

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

FILED

2017 JUN 30 PM 2: 52

CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY DEPUTY 

**WHOLE WOMAN'S HEALTH, BROOKSIDE
WOMEN'S MEDICAL CENTER PA d/b/a
Brookside Women's Health Center and Austin
Women's Health Center, DR. LENDOL L. DAVIS,
ALAMO CITY SURGERY CENTER PLLC d/b/a
Alamo Women's Reproductive Services, and NOVA
HEALTH SYSTEMS, INC. d/b/a Reproductive
Services,**

Plaintiffs,

-vs-

Case No. A-16-CA-1300-SS

**JOHN HELLERSTEDT, M.D., Commissioner of
the Texas Department of State Health Services, in
his official capacity,**

Defendant.

ORDER

BE IT REMEMBERED on the 30th day of June 2017, the Court held a status conference in the above-styled cause, and the parties appeared through counsel. In light of the representations and arguments of counsel during the hearing, the Court issues the following orders confirming its oral pronouncements:

IT IS ORDERED that Plaintiffs may file a letter brief no later than TWENTY (20) DAYS following the entry of this order addressing the following: (1) this Court's authority to proceed in light of the pending appeal of the preliminary injunction and the Fifth Circuit Court of Appeals order denying the motion to dismiss the appeal and denying the motion to expedite oral argument; and (2) this Court's jurisdiction to evaluate claims against Texas Senate Bill

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8 before it takes effect and before the new regulations regarding the disposal of fetal tissue are adopted.

IT IS FINALLY ORDERED that Defendant may respond to the letter brief authorized above no later than SEVEN (7) DAYS after Plaintiffs file such a letter brief. At that time, the Court will evaluate Plaintiffs' Motion to Lift Stay.

SIGNED this the 30th day of June 2017.



SAM SPARKS
UNITED STATES DISTRICT JUDGE